SECTION 3 PLAN FOR THE CITY OF SAINT PAUL AND ITS HOUSING AND REDEVELOPMENT AUTHORITY

(Revised October 10, 2011)

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I. <u>Introduction</u>

Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701(u)) ("Section 3") requires the City of Saint Paul ("Saint Paul") and its Housing and Redevelopment Authority ("HRA")(collectively Saint Paul and HRA are referred to as the "City") to ensure that employment, training, contracting and other economic and business opportunities generated by certain Department of Housing and Urban Development ("HUD") financial assistance, to the greatest extent feasible, is directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low and very-low income persons.

This Section 3 Plan ("Plan") identifies the goals, objectives, and actions that the City will implement to ensure compliance in its own operations and those of developers, sub-recipients, bidders, covered contractors, and covered subcontractors (hereinafter collectively referred to as "Contractors and sub-recipients") with the requirements of Section 3 and its regulations found at 24 CFR Part 135. The City may take other actions it deems necessary as well. The City's Section 3 policy requires that new employment opportunities be directed to qualified low- and very low-income residents of the area where the project is being implemented. The policy also requires that designated Section 3 business concerns with the ability and capacity to perform projects be extended preference in contracting, sub-contracting, and professional service activities. Furthermore, it is the policy that the City will not move forward with funding any project until there is an approved Section 3 Action Plan in place.

Defined Terms used in this Plan are defined either in this Plan, in <u>Attachment A-1</u> or at 24 CFR Part 135. This Plan may be amended by the City from time to time.

II. Section 3 Administration

The department of Human Rights & Equal Economic Opportunity ("HREEO") will designate a full-time Section 3 Administrator and a part-time (.5 FTE) Section 3 Coordinator who will work with City departments, Contractors and sub-recipients, Section 3 business owners, members of the community and Section 3 residents to coordinate and monitor activities that contribute to Section 3 compliance.

The Section 3 Administrator leads the City's review of Section 3 Action Plans and provides review within 10 working days. All approved plans will become part of any contract with the City. The Section 3 Administrator is available to provide technical assistance during the development of Section 3 Action Plans. The department also provides Contractors and sub-recipients access to current lists of Section 3 certified business concerns and certified Section 3 residents seeking economic opportunities. The Section 3 Coordinator is the primary contact for those seeking certification as low- and very-low income persons and as Section 3 business concerns. Both the Section 3 Administrator and Section 3 Coordinator are available to answer general questions about the City's Section 3 program.

III. City of Saint Paul's Section 3 Goals

Contracting and Hiring Goals

It is the policy of the City to utilize and to require Contractors and sub-recipients to utilize Section 3 business concerns and Section 3 residents in contracts partially or wholly funded with monies from HUD. The City has established contracting and employment goals for itself and Contractors and sub-recipients to attain in order to comply with Section 3 requirements in accordance with 24 CFR 135.30. The numerical goals for Section 3 covered contracts are:

- 1. **At least 10 percent (10%)** of the total dollar amount of all section 3 covered contracts for building trades work arising in connection with housing rehabilitation, housing construction, and other public construction shall be awarded to Section 3 business concerns, and
- 2. **At least 3 percent (3%)** of the total dollar amount of all other Section 3 covered contracts (e.g. architect, appraisal, etc.) shall be awarded to Section 3 business concerns; and
- 3. **At least 30 percent (30%)** of the aggregate number of new hires in any fiscal year shall be Section 3 residents

The infusion of certain HUD funds through the City into a project at any point in the project means that the goals apply to all construction costs of the project, not just the amount of HUD financial assistance. Records must be maintained on goals reached, and efforts taken to reach goals. (Attachment P). If goals are not met, a description of impediments encountered despite actions taken must be included. Reporting of such efforts must be made on the City's forms as supplied herein, unless otherwise indicated on the attachments.

IV. City of Saint Paul Section 3 Business and Resident Certification Procedure

Certification of Section 3 Business Concerns

HREEO will certify business concerns as a Section 3 business concern. The Section 3 Coordinator is tasked with this responsibility and provides technical assistance to businesses who require assistance completing the Section 3 Business Application Form (Attachment R). Once an entity has completed all eligibility requirements, it will be issued a letter stating they are Section 3 certified. The Section 3 Coordinator is responsible for maintaining a current and accurate list of Section 3 business concerns.

The Section 3 Administrator will have access to these Section 3 certified business concerns listings and will facilitate the assessment and review of Section 3 plans submitted. The Section 3 Administrator will use information from this database to engage in on-going contract compliance monitoring of Section 3 covered projects.

Certification of Section 3 Residents

HREEO and the Job Connect system (www.jobconnectmn.com) will certify very low- and low-income individuals as Section 3 residents. The Section 3 Coordinator is tasked with this responsibility and provides technical assistance to individuals who require assistance in completing the Section 3 Resident Application Form (Attachment S). Once an individual has completed all eligibility requirements they will be issued a letter stating they are a Section 3 resident. The Section 3 Coordinator is responsible for maintaining a current and accurate list of Section 3 residents.

V. Section 3 Business Contracting Policy

The City is committed to ensuring that qualified Section 3 business concerns derive economic benefit from all Section 3 covered projects built in their communities. Contractors and sub-recipients must demonstrate in their Section 3 Action Plan and through their subsequent actions that contracting and other economic opportunities are, to the greatest extent feasible, directed to Section 3 business concerns. Under the City's Section 3 policy, Section 3 business concerns will be given priority in contracting for appropriate work. The following lists the order of preference (from highest to lowest) for Section 3 business concerns seeking contracting opportunities:

- 1. Category 1 businesses: Section 3 business concerns that provide economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located
- 2. Category 2 businesses: Applicants selected to carry out Youthbuild programs.
- 3. Category 3 businesses: Other Section 3 business concerns.

Efforts by City to Award Contract Opportunities to Section 3 Business Concerns

The City will use the following methods to notify and contract with Section 3 business concerns when contracting opportunities exist:

- Advertise contracting opportunities via the City's webpage that will provide general information about the project and where to obtain additional information.
- Contacting business assistance agencies and community organizations to inform them of
 contracting opportunities and requesting assistance in identifying Section 3 businesses which
 may solicit bids or proposals for contracts for work in connection Section 3 covered
 assistance.
- Create and maintain a list of certified Section 3 businesses.
- Provide electronic, and if requested non-electronic notice of contracting opportunities to Section 3 business concerns on the City's list of certified Section 3 business concerns.
- Coordinate pre-bid meetings at which Section 3 business concerns may be informed of upcoming contracting and subcontracting opportunities.
- Advertising the contracting opportunities through trade association papers, newsletters, and through local media. (Attachment Q)
- Actively supporting the development and maintenance of Section 3 Joint Ventures.

Efforts by the City to Cause Contractors and Sub-recipients to Award Contract Opportunities to Section 3 Business Concerns

In addition to the efforts described above, the City will use the following methods to facilitate compliance of Section 3 by Contractors and sub-recipients:

• Providing Section 3 information and requirements at all pre-bid meetings and pre-construction conferences for Section 3 covered contracts. The information will be presented by means of a prerecorded compliance DVD and/or City staff member. Written agenda of such meetings and conferences will be maintained in the project file.

- In determining the responsibility of potential Contractors and sub-recipients, considering their record of Section 3 compliance as evidenced by past actions and their current plans for the pending contract.
- Implementing a Section 3 contracting preference for each competitive procurement as authorized in CFR 85.36(d).
- Providing copies of construction plans and specifications to local associations that provide free access to construction project plans and specifications.
- Where appropriate, breaking out contract work items into economically feasible units to facilitate the participation by Section 3 business concerns.
- Carrying out workshops on contracting procedures and specific contract opportunities in a timely manner so that Section 3 business concerns may take advantage of upcoming contracting opportunities.
- Requiring reports to monitor Contractor's compliance.
- Requiring Contractors to name a Section 3 compliance officer for the project, and to prepare a Section 3 Action plan for the project. The Section 3 compliance officer will be the primary point of contact for the City for correspondence related to the project. (Attachment B).

VI. Section 3 City Contracting Procedure

The City will include Section 3 information and requirements in all its procurement and bid specifications for projects covered by Section 3, which by reference becomes a part of the City's contract with the successful bidder. This plan contains goal requirements for awarding contracts to Section 3 business concerns. Each bidder must complete and submit to the City, for its review and comment, as part of its bid/proposal response a draft copy of the Section 3 Action Plan attached hereto as Attachment B. The bidder/proposer agrees to meet with City Staff to discuss the submitted draft plan and to modify its Section 3 Action Plan based on feedback from the City. The City will also require periodic reports and engage in compliance monitoring to ensure the Contractor's and sub-recipient's efforts meet Section 3 goals.

Any bidder/proposer's failure to agree to an approved Section 3 Action plan may render the bid non-responsive and may cause the bidder/proposer to be disqualified from further consideration for the contract.

The HRA development and contracting process will include:

- 1. adding Section 3 to the list of potential compliance in the first compliance letter sent to a potential developer, which identifies the range of potential compliance areas for a project; and require that developer acknowledges receipt of this first compliance letter;
- 2. adding Section 3, if applicable, to the second compliance letter, which letter identifies actual compliance areas applicable to the project, and requires acknowledgement by developer;
- 3. adding Section 3 to compliance checklist that is used by the City Attorney Office to review contracts; and
- 4. adding Section 3 to the Compliance Matrix which is distributed to City staff.

Section 3 Contract Clause

The Section 3 contract clause required by 24 CFR Section 135.38 and set forth in <u>Attachment C</u> specifies the requirements for contractors and subcontractors hired for Section 3 covered projects. The Section 3

clause will be included in all contracts (City, Contractors, and sub-recipients) for all Section 3 covered projects.

VII. <u>Preferences</u>

Request for Bid process applicable to the City, subrecipients, developers, contractors and subcontractors.

Preference in the award of Section 3 covered contracts that are awarded under a sealed bid process shall be provided as follows:

- (i) Bids shall be solicited from all businesses (section 3 business concerns, and non-section 3 business concerns). An award shall be made to the qualified section 3 business concern with the highest priority ranking and with the lowest responsive bid if that bid--
- (A) is within the maximum total contract price established in the City's budget for this project for which bids are being taken, and
- (B) is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

	x=lesser of:
When the lowest responsive bid is less than \$100,000	10% of that bid or \$9,000.
When the lowest responsive bid is:	
At least \$100,000, but less than \$200,000	9% of that bid, or \$16,000.
At least \$200,000, but less than \$300,000	8% of that bid, or \$21,000.
At least \$300,000, but less than \$400,000	7% of that bid, or \$24,000.
At least \$400,000, but less than \$500,000	6% of that bid, or \$25,000.
At least \$500,000, but less than \$1 million	5% of that bid, or \$40,000.
At least \$1 million, but less than \$2 million	4% of that bid, or \$60,000.

At least \$2 million, but less than \$4 million

3% of that bid, or \$80,000.

At least \$4 million, but less than \$7 million

2% of that bid, or \$105,000.

\$7 million or more

 $1\frac{1}{2}$ % of the lowest responsive bid, with no dollar limit.

(ii) If no responsive bid by a section 3 business concern meets the requirements of paragraph (i) of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.

Request for Proposal process

Where the Section 3 covered contract is to be awarded based on factors other than price, a Request for Proposals ("RFP") shall identify all evaluation factors (and their relative importance) to be used to rate proposals.

- One of the evaluation factors shall address both the preference for Section 3 business concerns and the acceptability of the strategy for meeting the greatest extent feasible requirement, as disclosed in proposals submitted by all business concerns (Section 3 and non-section 3 business concerns). This factor shall provide for a range of 15 to 25 percent of the total number of available points to be set aside for the evaluation of these two components.
- The component of this evaluation factor designed to address the preference for Section 3 business concerns must establish a preference for these business concerns in the order of priority ranking as described in 24 CFR 135.36.
- With respect to the second component (the acceptability of the Section 3 strategy), the RFP shall require the disclosure of the contractor's Section 3 strategy to comply with Section 3 training and employment preference, or contracting preference, or both. If applicable, a determination of the contractor's responsibility will include the submission of an acceptable Section 3 strategy. The contract award shall be made to the responsible firm (either Section 3 or non-section 3 business concerns) whose proposal is determined most advantageous, considering price and all other factors specified in the RFP.
- Another evaluation factor is the bidder's past history of compliance with Section 3 requirements and attainment of contracting and hiring goals. Points will be awarded for successful compliance.

VIII. Section 3 Resident Employment and Training Policy

Section 3 Resident Employment Policy

The City's Section 3 hiring policy is a critical component of any Section 3 Action Plan submitted by Contractors and sub-recipients for City approval. The City recognizes the importance of ensuring that low- and very-low income people benefit from all Section 3 covered projects built in their communities. Contractors and sub-recipients are required to demonstrate in their Section 3 Action Plans and through

their subsequent implementation actions that Section 3 eligible residents are included in the hiring goals and are beneficiaries of the plan's hiring policies. The following is the order (from highest to lowest) of providing preference for Section 3 residents in training and employment opportunities for all of the City's Section 3 covered projects.

- 1. Where the Section 3 project receives McKinney Act funding, homeless persons residing in the service area or neighborhood in which the section 3 covered project is located shall be given the highest priority.
- 2. Category 1 Residents: Section 3 residents residing in the service area or neighborhood in which the Section 3 covered project is located.
- 3. Category 2 Residents: Participants in Youthbuild programs.
- 4. Other Section 3 residents.

If multiple qualified candidates apply for an available position, then priority shall be given to Section 3 residents in the order of priority stated above.

Efforts to Offer Training and Employment Opportunities to Section 3 Residents

The City will engage in for its own projects, and require that Contractors and sub-recipients engage in the following minimum steps to afford maximum employment opportunities to eligible Section 3 residents for Section 3 covered projects:

- Conducting aggressive employment outreach to a number of community based agencies for all new hires. (Attachment K) This includes notifying the Section 3 program manager for the Saint Paul Public Housing Agency so that he/she provides notice of new hiring opportunities to PHA residents and Section 8 tenants.
- Accepting and giving preferential employment consideration to referred Section 3 residents.
- Providing appropriate employment and training outreach signage at the project site and throughout the project area to inform low- and very low-income neighborhood residents of employment and training opportunities.
 - The sign must be weatherproof and visible from the street.
 - The sign must also provide at minimum the information set forth in Attachment F.
- Distributing outreach notices throughout the community where the project is located and with community-based organizations regarding employment and training opportunities and provide copies of all notices to the City's Section 3 Administrator.
- Contacting agencies administering Youthbuild programs, and requesting their assistance in recruiting Youthbuild program participants for opportunities.
- Requiring that all new City, Contractor, and sub-recipient vacancies detailed in the employment and training opportunities worksheet (<u>Attachment E</u>) be posted on Job Connect at www.jobconnectmn.com under the Section 3 link.

The City has partnered with Ramsey County Workforce Solutions to provide notice of training and employment opportunities to Section 3 residents through Job Connect. Job Connect is an interactive webbased system that is accessible by low-income individuals, Section 3 employers, Trades and Labor, and over 40 different government and community-based employment training entities, including Opportunities Industrialization Centre (OIC), Merrick Brownfield Community Services, Goodwill Easter Seals, and Saint Paul College (a community and technical college). The City, Contractors, and subrecipients will be required to submit opportunities on the Employment and Training Requisition form found at Attachment I. The Job Connect system also has a database of potential Section 3 residents, skill

levels and job matching tools that can be sorted and broadcast by census tract corresponding to project areas.

Training and Outreach Efforts

In addition to the City's commitment to the above identified goals, Saint Paul also recognizes the need for broad outreach, education and training related to Section 3 to remover barriers for Section 3 residents and business concerns. HREEO will coordinate and engage in on-going outreach and educational efforts including:

- Section 3 job fairs and networking opportunities
- Section 3 presentations and participation in local community forums
- Development and distribution of Section 3 informational materials
- Media presentations
- Targeted community group mailings
- Development and maintenance of an educational presence on the City's website
- Development and maintenance of an education presence on the Job Connect website
- Creation of a Section 3 Implementation fund to support or subsidize training and outreach activities for eligible businesses and residents
 - Developing a program which will evaluate the strengths and weaknesses of potential and/or new Section 3 business owners and will provide specific services that will develop and improve their potential for success.
 - Providing training in business consultation, start-up, technical assistance for business expansion and retention, outreach and advertising services.
 - Providing training in the City's project development process.
 - Providing training on insurance and bonding requirements.
 - Helping establish relationships between the business and banking community.
 - Providing construction job preparation training both in the classroom and in the field.
 - Providing information on tax credits available to contractors for employing Section 3 residents.
 - Funding and making available a scholarship fund to be used by Section 3 residents to be used as financial assistance for the payment of items such as union initiation fees, dues, tools, equipment and work clothing.
 - Funding and making available a no-interest revolving loan fund for Section 3 business concerns, including start-up Section 3 business concerns.

IX. Ensuring Compliance with Section 3 Policies

Ensuring compliance with Section 3 policies involves affirmative actions on behalf of the City and Contractors and sub-recipients.

Required Minimum Steps to be Taken by Contractors and Sub-recipients

To meet the contracting and employment requirements of Section 3, the following minimum efforts must be taken by the Contractor and sub-recipients.

1. Designate a Section 3 Compliance Officer for the project. (Attachment B)

- 2. Submit a complete Section 3 Action Plan reflective of the City's stated Section 3 policies.
- 3. Ensure that covered subcontractors with contracts in excess of \$100,000 submit complete Section 3 Action Plans to the City's Section 3 Administrator and comply with all requirements.
- 4. Meet with City staff as requested to discuss and review the submitted Section 3 Action Plan and modify the plan based on feedback from the City.
- 5. Implement an approved Section 3 Action Plan.
- 6. Obtain a list of certified Section 3 business concerns from the City's web page.
- 7. Attend all mandatory pre-bid and pre-construction conferences to obtain information about the Section 3 program requirements.
- 8. Solicit at least 3 bids from the City's list of Section 3 business concerns for each service that requires subcontracts. If such list has fewer than three (3) qualified businesses, then the Contractor must contact the entire list. Solicitations must allow adequate time for the Section 3 business to respond and/or submit a bid or proposal.
- 9. Provide plans and specifications or information regarding the location of plans and specifications to Section 3 business concerns as well as to those businesses on the City's Vendor Outreach Program certification list.
- 10. Attempt to the greatest extent feasible to meet the minimum contracting and employment goals.
- 11. File Section 3 reports with the City at such frequency, on such forms and on any electronic system as required by the city. The reporting shall include the submission of certified payrolls. (Attachments N, O and P).
- 12. Comply with the Section 3 clause contract language set forth in Attachment C.
- 13. Erect weatherproof Section 3 signage at the construction site that is visible from the street and meets the specifications set forth in <u>Attachment F</u>.
- 14. Maintain contact logs that records efforts to meet Section 3 obligations. (Attachments J and K).
- 15. Union Contractors must provide notice to the local bargaining unit (<u>Attachment G</u>) of its obligations under Section 3. Union Contractors must also submit the Worker Request Form for Union members. (<u>Attachment H</u>)
- 16. Submit a roster of the existing core workforce according to <u>Attachment D</u>.
- 17. Identify available employment and training opportunities on Attachment E.
- 18. Identify the participation of Section 3 business concerns on Attachment M.
- 19. Identify all contract awards on Attachment L.
- 20. Where noncompliance is found by the City, the City will issue notification of the nature of the deficiency and issue directives for corrective actions, and such corrective actions shall immediately be taken.
- 21. Develop and implement efforts to conduct aggressive outreach and notification to Section 3 residents or training and employment opportunities in the project as described in this plan. (Attachment Q).
 - These efforts shall include advertising in at least 2 community newspapers of these opportunities.
 - Work with outreach agencies that can assist with efforts to conduct outreach to meet contracting, training and employment goals.
- 22. If the Contractor or sub-recipient fails to meet the employment and/or contracting goals, then that Contractor or sub-recipient must document the efforts taken and the impediments encountered.
- 23. If the Contractor or sub-recipient fails to meet the contracting goals, then that Contractor or sub-recipient must pay penalties as discussed below.
- 24. Maintain in its files written evidence of compliance with these requirements and upon request by the city allow for inspection and copying of such documents by the City.

City Responsibilities

The City recognizes that the ultimate responsibility of ensuring compliance rests with the City. The City will institute the following:

- Establish and maintain the operation of a Section 3 Administrator and Coordinator to ensure that Section 3 implementation procedures are consistently carried out.
- Issue Section 3 compliance procedures for Contractors and sub-recipients.
- Incorporate the Section 3 program guidelines in all solicitations.
- Attempt to the greatest extent feasible to meet the minimum contracting and employment goals.
- Require the submission of a Section 3 Action Plans for review and approval by the Section 3 Administrator prior to the commitment by the City of any funding to the projects.
- Conduct meetings with Contractors and sub-recipients to discuss the review of Section 3 Action Plans
- Require the approved Section 3 Action Plan to become part of the set of contractual documents for Section 3 covered projects.
- Regularly conduct compliance monitoring of all contracts with approved Section 3 Action Plans.
- Hold workshops on the Section 3 program.
- Monitor outreach, contracting and hiring practices of Contractors and sub-recipients.
- If corrective action is not promptly taken and noncompliance is not remedied, then the City will declare default under the contract and exercise appropriate contract remedies including without limitation withholding approvals of draw requests pending remedial action. The City may also consider taking steps to debar Contractors under the City's ordinance.
- Enforce penalties against Contractors and sub-recipients on Section 3 covered projects as detailed below.
- Prepare and submit reports to HUD on Section 3 program results.
- The City will electronically file form 60002 annually with HUD at the same time of year as the CAPER is sent to HUD's local office.

Penalties

The City shall be enforcing a penalty against Contractors and sub-recipients where more than \$200,000 of HUD funds has been awarded to a project, and to covered Contractors and subcontractors (i.e. contracts over \$100,000) for Section 3 covered projects as follows:

Where at least 10% of the total dollar amount of all Section 3 covered contracts for building trades work arising in connection with housing rehabilitation, housing construction, demolition, and/or public construction or at least 3% of the total dollar amount of all other Section 3 covered contracts are not provided to Section 3 business concerns and/or do not result in the employment of Section 3 residents, the Contractor will be required to contribute the difference between 10% of the covered contract amount (3% for non-construction related contracts) and the amount provided to Section 3 business concerns and/or in the employment of Section 3 residents into the City's Section 3 Implementation Fund.

X. Protest and Complaint Procedure

Cooperation in Achieving Compliance

The City recognizes that the success of ensuring that Section 3 residents and Section 3 business concerns have the opportunity to apply for jobs and to bid/propose for contracts generated by covered HUD financial assistance depends upon the cooperation and assistance of the City, developers, the contractors, and subcontractors. A Section 3 resident or business concern maintains the right to file a complaint directly with HUD's Office of Fair Housing and Equal Opportunity.

All Contractors and sub-recipients shall cooperate fully and promptly with HUD in Section 3 compliance reviews, in investigations of allegations of noncompliance made and with the distribution and collection of data and information.

Filing and Processing Complaints

Who may file a complaint? The following individuals and business concerns may, personally or through an authorized representative, file a complaint with HUD alleging noncompliance with Section 3:

- 1. Any Section 3 resident on behalf of himself or herself, or as a representative of persons similarly situated, seeking employment, training or other economic opportunities, or by a representative who is not a Section 3 resident but who represents one or more Section 3 residents;
- 2. Any Section 3 business concern on behalf of itself, or as a representative of other Section 3 business concerns similarly situated, seeking contract opportunities generated from the expenditure of Section 3 assistance from a recipient or contractor, or by an individual representative of Section 3 business concerns.

Where to file a complaint. A complaint must be filed with the Assistant Secretary for Fair Housing and Equal Opportunity, Department of Housing and Urban Development, Washington, DC 20410.

Time of Filing

- 1. A complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based, unless the time for filing is extended by the Assistant Secretary for good cause shown.
- 2. Where a complaint alleges noncompliance with Section 3 and the regulations of this part (24 CFR

135) that is continuing, as manifested in a number of incidents of noncompliance, the complaint will

be timely if filed within 180 days of the last alleged occurrence of noncompliance.

3. Where a complaint contains incomplete information, the Assistant Secretary shall request the needed information from the complainant. In the event this information is not furnished to the Assistant Secretary within sixty (60) days of the date of the request, the complaint may be closed.

Contents of Complaint

Written complaints: Each complaint must be in writing, signed by the complainant, and shall include:

1. Name and address of the complainant;

- 2. The name and address of the respondent:
- 3. A description of the acts or omissions by the respondent that is sufficient to inform the Assistant Secretary of the nature and date of the alleged non-compliance; and
- 4. A complainant may provide information to be contained in a complaint by telephone to HUD.

Amendment of Complaint

Complaints may be reasonably and fairly amended at any time. Such amendments may include, but are not limited to, amendments to cure technical defects or omissions, including failure to sign or affirm a complaint, to clarify or amplify the allegations in a complaint, or to join additional or substitute respondents. Except for the purposes of notifying respondents, amended complaints will be considered as having been made as of the original filing date.

Resolution of complaint

- 1. Within ten (10) days of a timely filing of a complaint that contains complete information, the Assistant Secretary shall determine whether the complainant alleges an action or omission by the City or the City's contractor that, if proven, qualifies as noncompliance with Section 3. If a determination is made that there is an allegation of noncompliance with Section 3, the complaint shall be sent to the City for resolution.
- 2. If the City's Section 3 Administrator believes that the complaint lacks merit, the City's Section 3 Administrator must notify the Assistant Secretary, in writing, of this recommendation with supporting reasons, within thirty (30) days of the date of receipt of the complaint. The determination that a complaint lacks merit is reserved to the Assistant Secretary.
- 3. If the City's Section 3 Administrator determines that there is merit to the complaint, the City will have sixty (60) days from the date of receipt of the complaint to resolve the matter with the complainant. At the expiration of the sixty (60) day period, the City must notify the Assistant Secretary in writing whether a resolution of the complaint has been reached.

If resolution has been reached, the notification must be signed by both the City and the complainant, and must summarize the terms of the resolution reached between the two parties.

- 4. Any request for an extension of the sixty (60) day period by the City must be submitted in writing to the Assistant Secretary, and must include a statement explaining the need for the extension.
- 5. If the City is unable to resolve the complaint within the sixty (60) day period (or more if extended by the Assistant Secretary), the complaint shall be referred to the Assistant Secretary for handling.

Judicial relief: Nothing in this procedure precludes a Section 3 resident or Section 3 business concerning from exercising the right, which may otherwise be available, to seek redress directly through judicial procedures.



CITY OF SAINT PAUL SECTION 3 COVER LETTER

Thank you for your interest in participating in the City of Saint Paul's Section 3 Program. This document is meant as a guide to help you satisfy the City's Section 3 compliance reporting requirements. The information provided below identifies the attachments that must be submitted to the City, what entities must submit these attachments (contractor, sub-recipient, sub-contractor), and when these attachments must be submitted.

INITIAL DOCUMENTATION

HUD Section 3 Acknowledgement & Action Plan (Attachment B)

- Contractors must complete and submit this form with their other bid materials
- All Sub-contractors must complete and submit this form <u>prior to the issuance of Notice to Proceed</u>

Existing Core Workforce List (Attachment D)

 Contractors AND all sub-contractors must submit Attachment D <u>prior to the issuance of</u> Notice to Proceed

CONTRACTING OPPORTUNITIES

Section 3 Covered Contracts & Professional Services Roster (Attachment L)

 Contractors AND all sub-contractors must submit Attachment L <u>prior to awarding</u> contracts

Section 3 Business Concern Utilization Plan (Attachment M)

Contractors AND all sub-contractors must submit Attachment M <u>prior to awarding contracts</u>

Media & Community Outreach Resources (Attachment Q)

• Contractors AND all sub-contractors can use Attachment Q as a resource for advertising contracting opportunities

NEW HIRING & TRAINING OPPORTUNITIES

Notice of HUD Section 3 Employment & Training Opportunities (Attachment F)

• Contractors AND sub-contractors must post signage in project area to provide notice of employment and training opportunities

Media & Community Outreach Resources (Attachment Q)

• Contractors AND all sub-contractors can use Attachment Q as a resource for advertising contracting opportunities

Section 3 Letter to Union (Attachment G) & Worker Request Form (Attachment H)

• Union Contractors and sub-contractors must provide notice of their Section 3 obligations and must utilize Attachment H to request union workers – both Attachments G and H must be submitted to the Section 3 Administrator

Employment & Training Requisition Form (Attachment I)

Non-Union Contractors and sub-contractors must post all job-openings on the Job
Connect website using Attachment I – this form must also be submitted to the Section 3
Administrator

COMPLIANCE REPORTING

Section 3 Business & Community Outreach Contact Logs (Attachments J, K)

• Contractors AND all sub-contractors must submit documentation quarterly demonstrating their efforts to reach the Section 3 contracting, hiring, and training goals using Attachments J and K or other appropriate forms

Employment & Training Opportunity Worksheet (Attachment E)

• Contractors AND all sub-contractors must submit Attachment E quarterly

Quarterly Section 3 Compliance Report (Attachments N, O, P)

• Contractors AND sub-recipients AND all sub-contractors must submit Attachments N, O, P quarterly

Thank you again for your interest in, and cooperation with, the City of Saint Paul's Section 3 Program. If you have any questions, please call 651-266-8900 or email Section3Program@ci.stpaul.mn.us.

The Department of Human Rights & Equal Economic Opportunity Section 3 Program 15 West Kellogg Boulevard 280 City Hall Saint Paul, MN 55102



SECTION 3 COMPLIANCE CHECKLIST

To Be Used by Contractors, Sub-recipients, and Subcontractors

Creation of Action Plan	Yes/No	Date Complete
1. I designated a Section 3 compliance Officer for the project (Attachment B)		
2. I attended the project's pre-bid meeting		
3. I attended the project's pre-con meeting		
4. The City of Saint Paul approved my Section 3 Action Plan		
5. My subcontractors with contracts in excess of \$100,000 have each submitted a complete Section 3 Action Plan to the City's Section 3 Administrator		

Soliciting Bids/Contracting	Yes/No	Date Complete
I have obtained a list of certified Section 3 business concerns from the City (available at www.stpaul.gov/section3)		
2. I solicited at least 3 bids from the City's list of Section 3 businesses for each service that requires subcontracts (I allowed adequate time for the business to respond and/or submit a proposal or bid).		
3. I provided plans and specifications or information regarding the location of plans and specifications to Section 3 business concerns.		
6. I turned to the following outreach agencies: and; to assist with efforts to conduct outreach to meet contracting goals		
7. I recorded my efforts to subcontract to Section 3 business concerns (Attachment J)		
8. I advertised subcontracting opportunities in at least 2 community newspapers (Attachment Q)		

New Hires/Workforce	Yes/No	Date Complete
I posted weatherproof job opening signage at the construction site that is visible from the street and meets the specifications of Attachment F		
2. I recorded my efforts to hire Section 3 residents (<u>Attachment K</u>)		
3. I provided notice to the local bargaining unit of my obligations under Section 3 (Attachment G)		
4. I submitted the Worker Request Form for Union members to the Union and City (Attachment H)		
5. I advertised hiring opportunities in at least 2 community newspapers (Attachment Q		
6. I turned to the following outreach agencies: and; to assist with efforts to conduct outreach to meet training and employment goals		
7. I submitted the Section 3 Employment and Training Opportunity Worksheet (Attachment E)		

Documentation and Reporting	Yes/No	Date Complete
I. I submitted quarterly Section 3 compliance reports with the City (Attachments N, O, P)		
2. I identified the Section 3 businesses utilized for the project (Attachment M)		
3. I identified all contractors utilized for the project (Attachment L)		
4. I submitted the company's existing core workforce list (<u>Attachment D</u>) or a certified payroll list to the City's Labor Standards Compliance Officer		

Noncompliance/Penalties	Yes/No	Date Complete
I have documented the efforts taken and the impediments encountered in trying to satisfy Section 3 requirements		
2. I have paid the penalty as assessed by the City of Saint Paul		



CITY OF SAINT PAUL SECTION 3 COMPLIANCE ATTACHMENTS TABLE OF CONTENTS

Section 3 Definitions	Attachment A – 1	Informational Use
HUD Income Limits	Attachment A – 2	Informational Use
Acknowledgement of receipt of the City's Section 3 Policy and Action Plan	Attachment B	Required Submittal
HUD Section 3 Clause	Attachment C	Informational Use
Existing Core Workforce List	Attachment D	Sample
Employment & Training Opportunity Worksheet	Attachment E	Required Submittal
Sample Section 3 Job Site Notice	Attachment F	Sample
Sample Section 3 Letter to Union	Attachment G	Sample
Worker Request form for Union Contractors	Attachment H	Required Submittal
Employment & Training Requisition Form	Attachment I	Required Submittal
Section 3 Business Contact Log	Attachment J	Sample
Section 3 Community Outreach Contact Log	Attachment K	Sample
Section 3 Covered Contracts Roster	Attachment L	Required Submittal
Section 3 Business Concern Utilization Plan	Attachment M	Required Submittal
Summary Report of Economic Opportunities for Low-Income Persons	Attachment N	Required Submittal
Summary Report of Economic Opportunities For Contract & Subcontract Activity	Attachment O	Required Submittal
Summary Report of Contractor's Efforts	Attachment P	Required Submittal
Media & Community Outreach Contacts	Attachment Q	Required Submittal
Section 3 Business Application	Attachment R	Informational Use
Section 3 Resident Application	Attachment S	Informational Use

SECTION 3 DEFINITIONS

Applicant means any entity which makes an application for Section 3 covered assistance, and includes, but is not limited to, any State, unit of local government, public housing agency, Indian housing authority, Indian tribe, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization (CHDO), resident management corporation, resident council, or cooperative association.

Business concern means a business entity formed in accordance with State law, and which is licensed under State, county or municipal law to engage in the type of business activity for which it was formed.

Business concern that provides economic opportunities for low-and very low-income persons. See definition of "Section 3 business concern" in this section.

Contract. See definition of "Section 3 covered contract" in this section.

Contractor means any entity which contracts to perform work generated by the expenditure of Section 3 covered assistance, or for work in connection with a Section 3-covered project.

Core Employee means an employee whose name appeared on the Contractor's active payroll for fifty (50) of the one hundred (100) working days prior to award of the project to the Contractor; and who possesses any license required by state or federal law for work; and who has the ability to safely perform the basic functions of the applicable trade.

Covered contractor means any contractor whose contract for the Section 3 covered project exceeds \$100,000.00.

Department or HUD means the Department of Housing and Urban Development, including its Field Offices to which authority has been delegated to perform functions under this part.

Developer means the developer as used in the definition of Recipient.

Employment opportunities generated by Section 3 covered housing and community development assistance. This term means all employment opportunities arising in connection with Section 3 covered projects (as described in 135.3(a)(2), including management and administrative jobs connected with the Section 3 covered project. Management and administrative jobs include architectural, engineering or related professional services required to prepare plans, drawings, specifications, or work write-ups; and jobs directly related to administrative support of these activities, e.g., construction manager, relocation specialists, payroll clerk, etc.

Existing Core Workforce The core workforce is composed of those employees whose names appeared on the Contractor's active payroll for fifty (50) of the one hundred (100) working days prior to award of the project to the Contractor; and who possess any license required by state or federal law for work; and who have the ability to safely perform the basic functions of the applicable trade.

Housing and community development assistance means any financial assistance provided or otherwise made available through a HUD housing or community development program through any grant, loan, loan guarantee, cooperative agreement, or contract, and includes community development funds in the form of community development block grants, and loans guaranteed

under Section 108 of the Housing and Community Development Act of 1974, as amended. Housing and community development assistance does not include financial assistance provided through a contract of insurance or guaranty.

JTPA means the Job Training Partnership Act (29 U.S.C. 1579(a).

Low-income person. See the definition of "Section 3 resident" in this section.

Metropolitan area means a metropolitan statistical area (MSA), as established by the Office of Management and Budget.

Neighborhood area means:

- (1) For HUD housing programs, a geographical location within the jurisdiction of a unit of general local government (but not the entire jurisdiction) designated in ordinances, or other local documents as a neighborhood, village, or similar geographical designation.
- (2) For HUD community development programs, see the definition, if provided, in the regulations for the applicable community development program, or the definition for this term in 24 CFR 570.204(c)(1).

New hires mean full-time employees for permanent, temporary or seasonal employment opportunities.

Other HUD programs means HUD programs, other than HUD public and Indian housing programs, that provide housing and community development assistance for "Section 3 covered projects" as defined in this section.

Recipient means any entity which receives Section 3 covered assistance directly from HUD or from another recipient and includes, but is not limited to, any State, unit of local government, PHA, IHA, Indian Tribe, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

Secretary means the Secretary of Housing and Urban Development (HUD).

Section 3 means Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701(u)).

Section 3 Administrator means the representative(s) of the City available to assist the Contractor meet the Section 3 goals.

Section 3 business concern means a business concern, as defined in this section.

- (1) That is 51 percent or more owned by Section 3 residents; or
- (2) Whose permanent, full-time employees include persons, at least 30 percent of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents, or

(3) That provides evidence of a commitment to contract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (1) or (2) in this definition of "Section 3 business concern".

Section 3 clause means the contract provisions set forth in 24 CFR 135.38.

Section 3 covered assistance means

- (1) Assistance provided under any HUD housing or community development program that is expended for work arising in connection with:
 - (i) Housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair and replacement);
 - (ii) Housing construction; or
 - (iii) Other public construction projects (which includes other buildings or improvements, regardless of ownership).

Section 3 covered contract means a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of section 3 covered assistance, or for work arising in connection with a section 3 covered projects. "Section 3 covered contracts" do not include contracts awarded under HUD's procurement program, which are governed by the Federal Acquisition Regulation System (see 48 CFR, Chapter 1). "Section 3 covered contracts" also do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a section 3 covered contract. For example, a contract for the purchase and installation of a furnace would be a section 3 covered contract because the contract is for work (i.e., the installation of a furnace) and thus is covered by section 3.

Section 3 covered project means the construction, reconstruction, conversion or rehabilitation of housing (including reduction and abatement of lead-based paint hazards), other public construction which includes buildings or improvements (regardless of ownership) assisted with housing or community development assistance.

Section 3 Joint Venture means an association of business concerns, one of which qualifies as a Section 3 business concern, formed by written agreement to engage in and carry out a specific business venture for which purpose the business concerns combine their efforts, resources and skill for joint profit, but necessarily on a continuing or permanent basis for conducting business generally, and for which the section 3 business concern:

- (i) Is responsible for a clearly defined portion of the work to be performed and holds management responsibilities in the joint venture;
- (ii) Performs at least 25 percent of the work and is contractually entitled to compensation proportionate to its work.

Section 3 resident means: (1) A public housing resident; or (2) An individual who resides in the metropolitan area or non-metropolitan county in which the section 3 covered assistance is expended, and who is:

(i) A low-income person, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2). Section 3(b)(2) of the 1937 Act defines this term to mean families

- (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or
- (ii) A very low-income person, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)) defines this term to mean families (including single persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

Subcontractor means any entity (other than a person who is an employee of the contractor) which has a contract with a contractor to undertake a portion of the contractor's obligation for the performance of work generated by the expenditure of Section 3 covered assistance, or arising in connection with a Section 3 covered project.

Covered subcontractor means any subcontractor whose contract for the Section 3 covered project exceeds \$100,000.00.

Attachment A-1 Page 4 of 4



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT INCOME LIMITS*

Listed below are the current income limits that the City of Saint Paul and its representatives will use to determine whether an individual meets the income guidelines to qualify as a Section 3 Resident. If you do not qualify based on your current income and household size, but you meet the requirements based on your income and household size within the last three years, you still qualify. All income amounts are subject to adjustment by the City in accordance with HUD guidelines.

Household Size	Family Income (80% of Median)
1 PERSON	44,950.00
2 PERSON	51,400.00
3 PERSON	57,800.00
4 PERSON	64,200.00
5 PERSON	69,350.00
6 PERSON	74,500.00
7 PERSON	79,650.00
8 PERSON	84,750.00

*Effective March 2011

Attachment A-2



CITY OF SAINT PAUL HUD SECTION 3 ACKNOWLEDGEMENT & ACTION PLAN

The Section 3 Acknowledgment form must be completed by Contractor(s) and covered sub-contractors submitted prior to issuance of Notice to Proceed.

By signing below you acknowledge that you received a copy of the City of Saint Paul's Section 3 Action Plan and the HUD Section 3 Clause Certification (Attachment C) and compliance requirements stated therein.

The undersigned certifies to its commitment to comply with the City's Section 3 Plan, all Section 3 laws and regulations and to use the Ramsey County Workforce Solution's Job Connect on-line system to advertise available employment and/or training opportunities in connection with the project described below.

The undersigned further certifies that the information contained in this plan and submitted to the City is accurate and correct. The undersigned understands that the City may impose penalties and sanctions for any of the following:

- submission of false or inaccurate statements in this document and/or subsequent reports to the City;
- failure to achieve the Section 3 contracting and employment goals for the project;
- failure to comply with the City's Section 3 Plan, Section 3 laws and regulations and/or its contract obligations.

Officer or Authorized Agent of Company (Print Name)	Signature's Title (Print Title)	
Signature	Date	



CITY OF SAINT PAUL HUD SECTION 3 ACKNOWLEDGEMENT & ACTION PLAN (CONT...)

Project Name:		 		
Project Address:				
Project Area:				
-				
Project Number:				
Award Amount:				
Company Name:		 	_	
Appointed Section 3 Coordinator:		 		
Company Address:		 		
	City	 State	Zip	
Telephone Number:		 		
Federal Tax Id No:		 		
State Tax Id No:		 	_	
E-Mail Address:		 		
General Contractor:		 		
Contract Award Date:				



Section 3 Compliance Estimate

For the City of Saint Paul Department of HREEO

<u>Instructions</u>: This form must be completed by the Bidder and each Contractor and Subcontractor. Specify in the TOTAL column, the total number of construction dollars that your business will subcontract; the total number of non-construction dollars that your business will subcontract, and the total number of new hires to be made. Apply to those amounts the percentage indicated in the Section 3 % Goals column. The resulting number is your company's initial Section 3 goals, which the Section 3 Administrator will verify.

Part 1. Project Information:

Project Name/ID Number:		
Entity		
Section 3 Compliance Officer		Contract Amount
Phone number:	Email Address:	

Part 2. Section 3 Contracting & Employment Goals:

10% of Building Trades/Const. Contracts

(Note: Contracts for purchase of supplies and materials only are not subject to goals unless the contract includes installation of product)

3% of All Other Non-Const. Contracts

(architect, appraisal, etc)

30% of New Hires

(Note: one Section 3 resident <u>must</u> be hired when a company makes 1, 2, or 3 new hires)

	TOTAL	Section 3 % Goals	Section 3 (\$ or #) Goals
Building Trade/ Construction Contracts		10% of TOTAL	
Non- Construction Contracts		3% of TOTAL	
New Hires		30% of TOTAL	

(multiply the TOTAL by the Section 3 % Goal to get the Section 3 Goal # or \$)



CITY OF SAINT PAUL HUD SECTION 3 ACKNOWLEDGEMENT & ACTION PLAN (CONT...)

Provide detailed information on the following items (attach additional sheets if necessary):

- ,
1. With how many Section 3 businesses does your company anticipate working? What strategies will your company use for contracting with Section 3 business concerns? (specify the efforts to be taken and dates, etc.)
2. How many Section 3 new hires does your company anticipate making? What strategies will your company use for reaching out to and hiring Section 3 residents? (specify the efforts to be taken and dates, how effective have these strategies been in the past?)
3. What efforts will your company use to conduct aggressive outreach and notification to Potential Section 3 residents and businesses of contracting and employment opportunities? (how effective have these strategies been in the past?)



DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SECTION 3 CLAUSE

The contract for this work will include the following HUD Section 3 Clause:

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing. The borrower/developer, and every contractor and subcontractor involved in the performance of the borrower's/developer's obligations under this agreement shall comply with these section 3 requirements. The borrower/developer agrees to have this section 3 clause contained in every contractor and subcontractor contract.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.

- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F. Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- G. With respect to work performed in connection with Section 3 covered Indian housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).
- H. The parties to this contract including the borrower/developer, contractor and subcontractors agree to report to the City/HRA at such frequency as required by the City/HRA its compliance with these Section 3 requirements on the form(s) required by the City/HRA, including electronic reporting.

Attachment C-Page 2 of 2



Company Name: _____

CITY OF SAINT PAUL EXISTING CORE WORKFORCE LIST

Must be completed by all Contractors and sub-contractors prior to issuance of Notice to Proceed. Please include a certified payroll list with this form. If a certified payroll will be submitted to the City's Labor Standard Compliance Officer, then you are not required to submit a duplicate certified payroll list.

Project:	Project No.:				
Submitted by:	Submitted by:				
The following is a list of "Core Employees." These employees, in accordance with the definition of Existing Core Workforce, have been on the active payroll for fifty (50) out of the last one hundred business days prior to the award. The Contractor, at any tier must submit this form prior to commencing work on the project. The Contractor shall provide to the Section 3 Administrator or designee proof of their "Core Workforce" upon request. Alternative worksheets may be submitted only if it contains at minithe same information shown below is contained.					
Employee Name	SSN (last 4 digits only)	Job Classification	Hire Date	Date Last Employed	Office use Only

CITY OF SAINT PAUL EXISTING CORE WORKFORCE LIST (Cont...)

Employee Name	SSN (last 4 digits only)	Job Classification	Hire Date	Date Last Employed	Office use Only

If you require additional space, please attach sheets with the appropriate information.



CITY OF SAINT PAUL SECTION 3 EMPLOYMENT AND TRAINING OPPORTUNITY WORKSHEET

To be completed by Contractors and sub-contractors.

To ensure efforts are made to reach the City of Saint Paul's numerical goals for job placement of low-income individuals; all Contractors shall provide information on all available employment and training opportunities related to the project. This document must be submitted with certified payrolls. This is a **mandatory quarterly submittal**.

Company Name			Project Name			Project I	Project Number					
Project Start Date	Dro	ioct	End Date	Donostod h								
Project Start Date	PIO	ject	Eliu Date	ate Reported by O Prime Con			-	or O Subco	ntra	actor		
					3 Time contractor 3 Subcontractor							
# of Core		Prop	posed #	oosed #			Proposed # of			Contract Amount		
Employees		of N	lew Hire	S			Section 3 Hires			\$		
Proposed % of Section	n 3		f New Employees Hired for							-		
New Hires		Con	struction Work			Construction Work						
Name of New Hire			Now H	lire Job	Titles	C	ect. 3	Estimated	Te	stimated	Office Use	
ivallie of ivew fille			INCW II	ille Job	111163		es/No	Start Date		ind Date	Office Ose	
						•	23,110	Start Bate	-	ina Date		

Office Use Only
Section 3 Employment Goals – 30% of new hires
Actual Hiring Goal: _____ Achieved _____

SAMPLE NOTICE OF HUD SECTION 3 EMPLOYMENT & TRAINING OPPORTUNITIES

CITY OF SAINT PAUL & FROGTOWN RESIDENTS MAY QUALIFY FOR EMPLOYMENT, TRAINING AND/OR CONTRACTING OPPORTUNITIES ON THIS FEDERALLY FUNDED CONSTRUCTION PROJECT. LOW-INCOME AND VERY LOW-INCOME RESIDENTS WILL RECEIVE HIRING PREFERENCE.

NUMBER OF JOBS AVAILABLE

1

AVAILABLE JOB TITLE(S) PIPEFITTER

APPRENTICESHIP AND TRAINING OPPORTUNITIES AVAILABLE NONE

INTERESTED CITY OF SAINT PAUL & FROGTOWN RESIDENTS SHOULD CONTACT THE DESIGNATED PERSON BELOW TO DETERMINE THEIR ELIGIBILITY FOR CURRENT AVAILABLE POSITIONS, POSSIBLE FUTURE POSITIONS OR OTHER TRAINING OPPORTUNITIES.

EMPLOYMENT/TRAINING OPPORTUNITIES					
CONTACT	CONTACT JOHN DOE				
PHONE	651-123-4567				
ADDRESS	DRESS DOE'S CONSTRUCTION				
	123 STREET				
	SAINT PAUL, MN 55104				
E-MAIL	JOHN@DOE.COM				
FAX	651-321-7654				

THIS SAMPLE NOTICE COMPLIES WITH THE CITY OF SAINT PAUL SECTION 3 ACTION PLAN TO PROVIDE NOTICE OF EMPLOYMENT & TRAINING OPPORTUNITIES TO ELIGIBLE LOW INCOME RESIDENTS.

Attachment F



CITY OF SAINT PAUL SAMPLE SECTION 3 LETTER TO UNION

Union Contractors must send a similar notice to each labor organization with which it has a collective bargaining agreement or other understanding and carbon copy the City on the correspondence.

Date

Union Contact Address City, State, Zip

RE: Project Name & Site

Dear:

(Name of Contractor), is a subcontractor or contractor on the (Name of Project). This construction project is under the United States Department of Housing and Urban Development Section 3 regulations for the City of Saint Paul.

The Section 3 regulation compliance requires that contractors to the greatest extent feasible hire low-income residents of the City of Saint Paul and (enter the neighborhood location or zip codes) for the project. We are asking for your cooperation in using your best efforts to dispatch low-income Section 3 resident workers from your union that reside in the City of Saint Paul and (enter the neighborhood location or zip codes). However, if there are no available workers in the project area please dispatch low-income Section 3 resident workers from your union that reside outside the project area and the City of Saint Paul.

Please keep this correspondence for your records. When we request that workers are dispatched to a job, please make your best effort to assist our company and the City of Saint Paul meet the Section 3 local hiring requirements.

Sincerely,

(Person Name)

cc: HREEO, Section 3 Administrator



FOR UNION CONTRACTOR USE ONLY

CITY OF SAINT PAUL WORKER REQUEST FORM FOR UNION CONTRACTORS

CONTRACTOR

Please complete and fax this form to the applicable union to request workers that fulfill hiring requirements for this project. A duplicate fax is to also be sent to Department of HREEO, attention Section 3 Administrator at (651) 266-8919 or by e-mail to section3-program@ci.saintpaul.mn.us. After faxing your request, please call the Local to confirm receipt and substantiate their capacity to furnish workers. **Print and retain your fax transmission verification reports and keep copies for your records.**

UNION

To:

Please complete the "Union Use Only" section and fax this form back to the requesting Contractor.	Please
retain a copy of this form for your records and fax a copy to the City of Saint Paul Departmen	t of
HREEO at (651) 266-8919.	

Local # ______ Date _____

CC:	Department of HREEO, Attention: Section 3 Administrator (651) 266-8919									
FR:	Company NameName									
	Contact Phone # ()Fax ()									
	Project Site Address									
The City of Saint Paul requires that 30% of the new hires & apprentices be low-income Section 3 eligible residents. The order of providing preference for training and employment opportunities is as follows:										
1 st PRIORIT	ΓΥ		le Union members, including			C				
		Neighborhood/2	Zip Codes:							
2 nd PRIORI	TY	Section 3 eligib	le Union members that reside	in the City of Sai	nt Paul.					
3rd PRIORITY Other Section 3 eligible Union members that reside outside the City.										
Union	Employees I	Requested by Co	intractor							
Union Employees Record Job Description		xequested by Co	Classification Level Ex/Journey or Apprentice	Number Requested	Report Date	Report Time				
Union Use On Received By:			Date:	Dis	spatch Date					
Total # Dispa	Total # Dispatched: #1 st Priority #2 nd Priority #3 rd Priority #Other									
Comments:										
			Attachment H							





FOR CONTRACTOR USE



EMPLOYMENT & TRAINING REQUISTION FORM

Contractor: Please complete the following form and e-mail to Ramsey County Workforce Solutions Job Connect Coordinator John O'Phelan at jobconnectmn@co.ramsey.mn.us and section3program@ci.stpaul.mn.us.

The subject line of the e-mail should contain the Project Name and Number. This form will be used to advertise available training and employment opportunities related to Section 3 Projects.

If the job requires a specific application that is available on-line,

If you have questions about Job Connect please contact John O'Phelan at jobconnectmn@co.ramsey.mn.us. You may also review the employment advertisement at www.jobconnectmn.com.

Attachment I-Page 1 of 2





City of Saint Paul Section 3 Program



EMPLOYMENT & TRAINING OPPORTUNITY

001000	Date Submitted:
Project Name:	Project Location:
Company Information	
Name of Company:	
Contact Person:	Title:
Phone:	Fax
Email:	Web Address:
Company Address:	
Position Information	
Position Title:	Hours Per Wk: Wage:
Application/Resume Deadline:	
Link to online Application	
Type of Position Perm () Temp	o() FT() PT() Seasonal()
Required/Preferred Skills Qualification	ns:

How to Apply: Fax () Mail () E-mail () In-Person () Call ()

Attachment I-Page 2 of 2



SECTION 3 BUSINESS CONTACT LOG

Project Name:	Project Number:
Company Name:	

This sample form or a similar form must be maintained during the entire period of the solicitation phase and entire period of construction to record contact with businesses. Record all efforts used to meet Section 3 obligations and affix documents that support such efforts (e.g. proof of mailing, fax transmittal, e-mails, etc.).

Date/Time	Company	Method of Contact	Contact Person	Other Efforts	Results of Communication
Example: 1/10/10/ 10:00 AM	Example: Jane Doe Contracting	Example: Fax – 651- 123-7654	Example: Jane Doe: Owner	Example: Craigslist, Twitter, Text, other social media	Example: Fax sent to Jane requesting participation. Jane thinks bus qualifies as Sec 3. Will include them as part of proposed team.

Attach additional pages if necessary.



SECTION 3 COMMUNITY OUTREACH CONTACT LOG

Project Name:	 Project Number:	
Company Name: _	 	· · · · · · · · · · · · · · · · · · ·

This sample form or a similar form must be maintained during the entire period of the solicitation phase and entire period of construction to record community outreach efforts. Record all efforts used to meet Section 3 obligations and affix documents that support such efforts (e.g. proof of mailing, fax transmittal, e-mails, etc.).

Date/Time	Company	Method of Contact	Contact Person	Other Efforts	Results of Communication
Example: 1/10/10/ 11:00 AM	Example: XYZ Non- Profit	Example: Fax – 651- 123-7654	Example: Jane Doe, Owner	Example: Craigslist, Twitter, Text, other social media	Example: Spoke to Jane Doe to coordinate a Section 3 networking event.

Attach additional pages if necessary.



City of Saint Paul Department of HREEO

SECTION 3 COVERED CONTRACTS & PROFESSIONAL SERVICES ROSTER

List all Contractors, Firms, and Vendors that have been awarded a contract. **Each Contractor and sub-contractor that will award contracts must complete this form.**Note: contractors that have been awarded in excess of \$100,000 must submit a Section 3 Action Plan

Company Name/ Contact	Service Provided	Date of Contract	% of Total Contracts Awarded	\$ of Contract

Attachment L



City of Saint Paul Department of HREEO

SECTION 3 BUSINESS CONCERN UTILIZATION PLAN

List all Section 3 Business Concerns that will be utilized for this project. **Each Contractor** and sub-contractor that will award contracts must complete this form.

Company Name/	Service Provided	Date of	% of Total	\$ of
Contact		Contract	Contracts	Contract
			Awarded	
				l
				l
				l
				l
				l
				l
				l
				l
				l
				l
				l
				l
				1
				1
				l

Attachment M



Contractor's Quarterly Section 3 Compliance Report

For the City of Saint Paul Department of HREEO

Summary Report of Economic Opportunities for Low Income Persons

Section 3 of the HUD Act mandates that the department ensures that employment and other economic opportunities generated by its housing and community development assistance programs are directed toward low- and very low-income persons, particularly those who are recipients of government housing. The information provided will be used to monitor the program recipient's compliance with Section 3, to assess the City's efforts to meet the objectives of Section 3, prepare reports for HUD, and by recipients as a self monitoring tool. All Contractors and sub-contractors must complete and submit this form.

Contractor Name & Address			Reporting Period Date		Date		
		Telephone N	Number		Email Address	3	
		Project Description			Start Date	Comp	letion Date
		Total Amour \$	nt of Award		Prime Contractor O Sub-Contractor O		
Job Category	# of New Hires	Total No. of Hours that are New Hires	No. of New Hires that are Sec 3 Residents	Total No. of Hours that are Sec 3 Residents	No. of Sec 3 Employees & Trainees	hours Sec 3	loyees &
Total for this Reporting Period							
Total from Contract Start Date							

Certified this _	day of _	, 2010
By:		
Бу		

Attachment N



Contractor's Quarterly Section 3 Compliance Report

For the City of Saint Paul Department of HREEO

OST Livible In America Summary Report of Contract & Subcontract Activity. All covered Contractors and sub-contractors must complete this form.

Contractor Name & Address		Contact Person		Reporting F	Period	Date	
		Tolophone Number		Email Addr			
		Telephone Number		Email Addr	ess		
		Project Description		Start Date	Comp	letion Date	
		, ,			· ·		
		Total Amount of Awa	ırd	Prime Cont	ractor ()	
		\$		Sub-Contra	actor ()	
		Construction	Contracts				
Total \$ Amount of all	Tota	I \$ Amount of Const	Percentage of	Total \$	Total No. of Section		
Contracts Awarded	Cont	racts Awarded to	Amount Awarded to		3 Businesses		
on the Project	Sect	ion 3 Businesses	Section 3 Businesses		Awarded Contracts		
\$	\$		%				
		Non-Construction	on Contracts				
Total \$ Amount of all Total \$ Amount of Const		Percentage of Total \$		Total No. of Section			
Contracts Awarded	Contracts Awarded to		Amount Awarded to		3 Busines	sses	
on the Project	Sect	ion 3 Businesses	Section 3 Busin	nesses	Awarded	Contracts	
							
\$	\$		%				

Office Use Only				
Construction Contract Goal – 10% of total dollar amount of construction	construction work			
Section 3 Construction Contract Goal \$ Achieved				
Non-Construction Contract Goal – 3% of total dollar amount	of other contracts			
Non-Construction Contract Goal \$	_Achieved			

Certified this _	day of	, 2010
_		
Ву:		

Attachment O



Contractor's Section 3 Compliance Report

For the City of Saint Paul Department of HREEO

The Most Livable City in America Summary Report of Contractor's Efforts to Achieve Section 3 Compliance. **All**

Contractors and sub-contractors must complete this form.

Indicate below the efforts made to direct employment and other economic opportunities, to the greatest extent feasible, toward low- and very low-income persons and businesses providing opportunities to low-income persons.

(See section VII. Ensuring Compliance with Section 3 Policies and review the minimum efforts required by Contractors to complete this form.)

Check all that Apply				
Attempted to recruit low-prominently displayed at the	income residents through local advertising media, and signs project site.			
	ents with community organizations and/or public and private in the project is located, or similar methods			
Coordinated with Youthbuil Project is located.	d programs in the metropolitan area in which the Section 3			
Describe additional methods undertaken to achieve the objectives of Section 3 Compliance (attach additional pages if necessary):				
Indicate what specific strategies and outreach e for hiring Section 3 residents:	fforts were used for contracting with Section 3 business concerns and			



CITY OF SAINT PAUL MEDIA & COMMUNITY OUTREACH RESOURCES

The media sources and community resources provided below are available for the advertisement of subcontracting and employment opportunities. Other known sources may also be used. Documentation of these efforts could consist of a tear sheet, proof or publication or other verification that confirms the outreach efforts.

General Press

Saint Paul Pioneer Press 651-489-2221 http://www.twincities.com Star Tribune 612-673-4000 www.startribune.com

Community Newspapers

Access Press 651-644-2133 access@accesspress.org

Insight News (612) 588-1313 info@insightnews.com

MN Women's Press 651-646-3968 women@womenspress.com Asian American Press 651-224-6570 www.aapress.com

MN Spokesman Recorder (612) 827-4021 www.spokesman-recorder.com

Outreach Agencies

Association of Women Contractors 651-489-2221 awcmn@awcmn.org

Metropolitan Economic Development Association 612-332-6332

info@meda.net

National Association of Minority Contractors 612-521-3366

namc1@comcast.net

Selby Area Community Dev Corporation 651-291-7704

sreller@selbyareacdc.org

Hispanic Chamber of Commerce

612-312-1692

gustavo@hispanicmn.org

MN Black Chamber of Commerce

651-777-9119

info@minnesotabcc.org

Neighborhood Development Center

651-291-2480

http://www.ndc-mn.org/

WomenVenture 651-646-3808

http://www.womenventure.org/

Attachment Q



CITY OF SAINT PAUL SECTION 3 BUSINESS CONCERN APPLICATION

<u>Application Instructions</u>: Complete Parts 1 - 3 and attach copies of the appropriate documentation. Note that by submitting this application, you are authorizing the City of Saint Paul to share information about your company to facilitate Section 3 training and contracting opportunities. The City reserves the right to request additional information at any time to process applications or verify Section 3 status.

Part 1. Basic Business Information

BUSINESS NAME:				
ADDRESS:				
CITY:	COUNTY:	ZIP	:STATE:	
PHONE:	_ FAX:	EMAIL:		
CONTACT PERSON:				
Type of Business Entity (☐ Sole Proprietorship	Check that which desc			⊐ LLC
Provide Copies of the Fo ☐ Business/Prof. Licenses	☐ Legal Documents for	Business ☐ List of Ow	tach documents): rners	
SERVICES PROVIDED:				
DESCRIPTION OF SERVICE	S (Ex. plumbing, carpentry	r):		
NAICS Code(s):For NAICS code assistance, p			sus.gov/eos/www/naics	
Part 2: Evidence Of Abilit	y To Perform			
Federal I.D. Number:		_ State I.D. Number: _		
Bonding/Insurance Company		_ Bonding/Insurance L	imit \$	

Part 3. Evidence Of Eligibility

The business/bidder certifies that it is a Section 3 Business Concern based on one or more of the following: <u>Please check appropriate line.</u>
 The business is 51% or more owned by Section 3 Residents. All owners claiming preference must complete the <u>Section 3 Resident Application</u>, AND provide Copy of a Public Housing Lease, OR Most Recent IRS Tax Statement (Individual and Corporate or if a Sole Proprietor, Submit 1040 with Schedule C), OR W-2s and Current Paystubs For All Household Members, OR Other Evidence of Total Family Income (ex. participation in public assistance program, etc)
At least 30% of full-time, permanent employees of the business are currently Section 3 Residents or were Section 3 Residents within 3 years from beginning their employment with the business. • Each full-time employee claiming preference must complete the Section 3 Resident Application, AND provide: • Copy of Public Housing Lease, OR • Most Recent IRS Tax Return with all schedules attached, OR • W-2 and Current Paystubs for All Household Members, OR • Other Evidence of Total Family Income (ex. participation in public assistance program, etc)
 The business commits to subcontracting over 25% of the dollar award of all subcontracts to Section 3 Business Concerns who meet one of the above qualifications. Failure to meet this goal will result in decertification and may result in the loss of future Section 3 contracting opportunities. An authorized company representative must provide a signed, one-page letter on company letterhead stating: The company's commitment to exceed the 25% subcontracting goal, AND A brief plan indicating with which Section 3 firms the company currently has relationships and what strategies will be used to exceed the 25% subcontracting goal.
I certify that my answers and submittals are true and accurate to the best of my knowledge. I understand that providing false or misleading information may result in penalties, including but not limited to, decertification as a Section 3 business concern.
Signature of Authorized Representative: Date:
Please return the Section 3 Business Certification Application and all attachments to:
Department of Human Rights & Equal Economic Opportunity

Please call 651-266-8900 with any questions.

c/o Section 3 280 City Hall

15 West Kellogg Boulevard

Saint Paul, MN 55102



CITY OF SAINT PAUL SECTION 3 RESIDENT APPLICATION FORM

<u>Application Instructions</u>: Complete parts 1-4. Note: If you are an employee of a business that is applying to be certified as a Section 3 business concern, you are only required to complete parts 1-2 and sign the certification statement. The City reserves the right to request additional information to verify Section 3 resident eligibility.

Unless you indicate otherwise, by submitting this application you authorize your name, contact information, skills and union affiliation information to be distributed to employers, community based organizations, unions and other similar institutions solely for the purpose of facilitating employment and training opportunities. No other information will be shared.

□ Check here if you do not want your information released or if you are an employee of a business that is applying to be certified. (By checking this box you may not receive notice of all employment and training opportunities. Also, employers will be unable to contact you for employment opportunities.)

Part 1. Demographic Information

An individual seeking preference in training and employment as defined in the Section 3 regulation at 24 CFR Part 135, shall certify to the recipient, contractor, or subcontractor, and submit evidence showing they meet the criteria of a Section 3 resident.

PRINT NAME:					
ADDRESS:					
CITY:	COUNTY:	ZIP:	STATE:		
HOME PHONE:	CELL PHONE:	WORK P	WORK PHONE:		
FAX:	EMAIL:				
certain types public assista	<u>s</u> – You can qualify as a Section ance, or if your family/household ry of the following programs?			ive	
☐ Public Assistance (MFIP, DWP, WIC, Heating assistance Free or reduced lunch program, etc.)		☐ Public/Indian Housing Programs			
Specify:		Name of Program:			
2. How many family members are in your household? ———————————————————————————————————			's gross annual household incor	ne?	

FY 2011 - FAMILY INCOME GUIDELINES

Family Size	1	2	3	4	5	6	7	8
Low-Income	\$44,954	\$51,400	\$57,800	\$64,200	\$69,350	\$74,500	\$79,650	\$84,750

Part 3. Applicable Skills & Affiliation	ons	
1. Do you possess any special training	ng or skills?	
□ Accounting □ Architecture □ Bricklaying □ Carpentry □ Carpet Installation □ Computer/Information □ Other (please specify):		□ Landscaping □ Machine Operation □ Marketing □ Painting □ Plumbing □ Word Processing
2. Indicate if you have a union affiliati		ame and number:Local #
3. Do you participate in a local Youth	build program? □Yes	□No
If yes, indicate the Youthbuild progra	m:	
Part 4. Notice of Employment & Tra	aining Opportunities	
Check the boxes below to indicate yo	our preference for receiving	notices of Section 3 economic opportunities.
send you automated e-mail notifi U.S. Mail (Check here if you prefe Text Message Notification (By pro text message. Please note: stan	cations of opportunities.) or to receive notices by many oviding your mobile number dard mobile carrier text r	to upload your application into Job Connect, which will il. Note: this may result in a delay of notification.) r below, you give the City permission to send notices by nessaging rates will apply.) (ex. AT&T):
Certification		
I,application form are true and accurate in my application, subsequent submit from the Section 3 program and/or te	ssions, or interview may re	vidual Full Name) certify that my answers in this dge. I also understand that false or misleading information sult in penalties including, but not limited to, decertification it.
SIGNATURE:		DATE:
		plication and all attachments to:

Department of Human Rights & Equal Economic Opportunity c/o Section 3
City Hall 280
15 West Kellogg Boulevard
Saint Paul, MN 55102
Please call 651-266-8900 with any questions.